

MEMORANDUM

Agenda Item No. 11(A)(2)

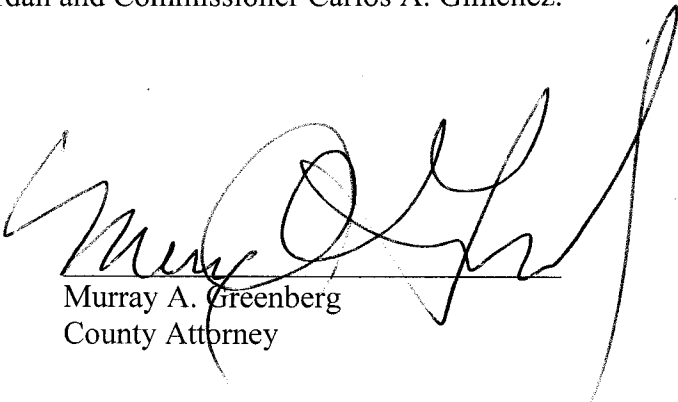
TO: Honorable Chairman Joe A. Martinez
and Members, Board of County Commissioners

DATE: February 7, 2006

FROM: Murray A. Greenberg
County Attorney

SUBJECT: Resolution Encouraging
the Florida Legislature to
Amend Florida Statute
316.211 to Require the Use
of Protective Headgear for All
Operators and Riders of
Motorcycles

The accompanying resolution was prepared and placed on the agenda at the request of Commissioner Barbara J. Jordan and Commissioner Carlos A. Gimenez.



Murray A. Greenberg
County Attorney

MAG/dc



MEMORANDUM

(Revised)

TO: Honorable Chairman Joe A. Martinez
and Members, Board of County Commissioners

DATE: February 7, 2006

FROM: Murray A. Greenberg
County Attorney

A handwritten signature in black ink, appearing to read "Murray A. Greenberg", is written over the printed name.

SUBJECT: Agenda Item No. 11(A)(2)

Please note any items checked.

- ☐ "4-Day Rule" ("3-Day Rule" for committees) applicable if raised
- ☐ 6 weeks required between first reading and public hearing
- ☐ 4 weeks notification to municipal officials required prior to public hearing
- ☐ Decreases revenues or increases expenditures without balancing budget
- ☐ Budget required
- ☐ Statement of fiscal impact required
- ☐ Bid waiver requiring County Manager's written recommendation
- ☐ Ordinance creating a new board requires detailed County Manager's report for public hearing
- ☐ Housekeeping item (no policy decision required)
- ☐ No committee review

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 11(A)(2)
2-7-06

RESOLUTION NO. _____

RESOLUTION ENCOURAGING THE FLORIDA
LEGISLATURE TO AMEND FLORIDA STATUTE 316.211 TO
REQUIRE THE USE OF PROTECTIVE HEADGEAR FOR ALL
OPERATORS AND RIDERS OF MOTORCYCLES

WHEREAS, the use of protective headgear is a critical safety precaution for operators and riders of motorcycles; and

WHEREAS, Florida Statute 316.211 exempts the requirement of the use of protective headgear for those motorcycle operators and riders over 21 years of age, if covered by an insurance policy providing at least \$10,000 in medical benefits for injuries resulting from a crash; and

WHEREAS, \$10,000 is inadequate to cover the costs of serious injuries that may occur as a result of individuals operating or riding a motorcycle without protective headgear; and

WHEREAS, hospitals throughout Miami-Dade County suffer from having to absorb the costs of medical care for those uninsured or underinsured motorcycle riders; and

WHEREAS, requiring the use of protective headgear could result in the prevention of numerous avoidable deaths and injuries,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA:

Section 1. This Board encourages the Florida Legislature to amend Florida Statute 316.211 to require the use of protective headgear for all operators and riders of motorcycles.

Section 2. The Clerk of the Board is directed to transmit a certified copy of this resolution to the Chair and members of the Miami-Dade County State Legislative Delegation.

Section 3. This Board directs the County's state lobbyists to advocate for the passage of the legislation set forth in section 1 above, and directs the Office of Intergovernmental Affairs to include this item in the state legislative package.

The foregoing was sponsored by Commissioner Barbara J. Jordan and Commissioner Carlos A. Gimenez and offered by Commissioner _____, who moved its adoption. The motion was seconded by Commissioner _____ and upon being put to a vote, the vote was as follows:

Joe A. Martinez, Chairman	
Dennis C. Moss, Vice-Chairman	
Bruno A. Barreiro	Jose "Pepe" Diaz
Audrey M. Edmonson	Carlos A. Gimenez
Sally A. Heyman	Barbara J. Jordan
Dorin D. Rolle	Natacha Seijas
Katy Sorenson	Rebeca Sosa
Sen. Javier D. Souto	

The Chairperson thereupon declared the resolution duly passed and adopted this 7th day of February, 2006. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By: _____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.



Bruce Libhaber